

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Daihana Aponte-Abreu,	:	
	:	
Debtor,	:	CHAPTER 13
	:	
Lakeview Loan Servicing, LLC Movant,	:	
	:	
vs.	:	No. 22-12385-PMM
	:	
Daihana Aponte-Abreu,	:	
	:	
Debtor,	:	
	:	
Scott F. Waterman,	:	
	:	
Trustee.	:	11 U.S.C. Section 362

DEBTOR'S MOTION TO VACATE
JANUARY 12, 2024 ORDER GRANTING RELIEF FROM STAY
FOR 216 CARRIAGE DRIVE, WERNERSVILLE, PA 19565

Debtor, Movant herein, hereby moves this Honorable Court to Vacate its January 12, 2024 Order granting relief from stay for 216 Carriage Drive, Wernersville, PA 19565 and in support thereof avers as follows:

1. Debtor is the owner of her primary residence situated at 216 Carriage Drive, Wernersville, PA 19565 (the "Residence").
2. Respondent is the holder of a mortgage, original principal amount of \$148,265.00 on the Residence that was executed on March 31, 2017. The mortgage has been assigned as follows: Assigned to Lakeview Loan Servicing, LLC on March 12, 2021, Recorded March 26, 2021, Instrument Number 2021014712 (the Mortgage").
3. On February 1, 2023 at docket entry no. 20, Respondent filed for relief from the automatic stay alleging Debtor's failure to remain current with Mortgage payments post-petition (the "Motion for Relief").
4. The Motion for Relief was resolved by Court-approved stipulation at docket entry no. 32 (the "Stipulation").
5. The terms of the Stipulation required Debtor to, *inter alia*, remain current post-petition, subject to the opportunity to cure after notice of default.
6. Respondent sent a Notice of Default dated December 12, 2023 alleging default by Debtor

and giving notice of 15 days to cure said alleged default.

7. Respondent certified default on January 4, 2024.
8. Debtor tendered, and Respondent accepted, the funds necessary to cure the aforementioned default after January 4, 2024, but before the entry of this Court's January 12, 2024 Order granting relief from stay.

WHEREFORE, Debtor respectfully requests this Honorable Court vacate its January 12, 2024 Order granting Respondent relief from stay for 216 Carriage Drive, Wernersville, PA 19565.

Respectfully submitted,

January 12, 2024

/s/ David W. Tidd
David W. Tidd, Esquire
656 Ebersole Road
Reading, PA 19605
Phone: 610-838-8700
Fax: 610-743-8676
Email: bankruptcy@davidtiddlaw.com